

By: Landgraf

H.B. No. 1306

Substitute the following for H.B. No. 1306:

By: Button

C.S.H.B. No. 1306

A BILL TO BE ENTITLED

AN ACT

relating to certain claims for benefits or compensation by a death investigation professional.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 607.001, 607.002, and 607.003, Government Code, are amended to read as follows:

Sec. 607.001. DEFINITIONS [~~DEFINITION~~]. (a) In this chapter, "public safety employee" means a peace officer, fire fighter, detention officer, county jailer, or emergency medical services employee of this state or a political subdivision of this state.

(b) In this subchapter:

(1) "Death investigation professional" means:

(A) a justice of the peace;

(B) a death investigator employed under Article 49.23, Code of Criminal Procedure; or

(C) a medical examiner or an employee of the medical examiner's office employed under Section 3, Article 49.25, Code of Criminal Procedure.

(2) "Inquest" has the meaning assigned by Article 49.01, Code of Criminal Procedure.

Sec. 607.002. REIMBURSEMENT. (a) A public safety employee or death investigation professional who is exposed to a contagious disease is entitled to reimbursement [~~from the employing~~]

1 ~~governmental entity~~] for reasonable medical expenses incurred in  
2 treatment for the prevention of the disease if:

3 (1) the disease is not an "ordinary disease of life" as  
4 that term is used in the context of a workers' compensation claim;

5 (2) the exposure to the disease occurs:

6 (A) during the course of the employment for a  
7 public safety employee; or

8 (B) while conducting or assisting in an inquest  
9 for a death investigation professional; and

10 (3) the employee or professional requires  
11 preventative medical treatment because of exposure to the disease.

12 (b) The governmental entity that employs the public safety  
13 employee is responsible for reimbursing the employee for medical  
14 expenses described by Subsection (a).

15 (c) The county served by the death investigation  
16 professional is responsible for reimbursing the professional for  
17 medical expenses described by Subsection (a).

18 Sec. 607.003. PHYSICIAN OF CHOICE. A public safety  
19 employee or death investigation professional who is exposed to a  
20 disease described by Section 607.002 is entitled to be treated for  
21 the prevention of that disease by the physician of the employee's or  
22 professional's choice.

23 SECTION 2. Section 607.004, Government Code, is amended by  
24 adding Subsection (a-1) to read as follows:

25 (a-1) A death investigation professional is entitled to  
26 preventative immunization for any disease to which the death  
27 investigation professional may be exposed in conducting or

1 assisting in an inquest and for which immunization is possible.

2 SECTION 3. Section 615.003, Government Code, is amended to  
3 read as follows:

4 Sec. 615.003. APPLICABILITY. This chapter applies only to  
5 eligible survivors of the following individuals:

6 (1) an individual:

7 (A) elected, appointed, or employed as a peace  
8 officer by the state or a political subdivision of the state under  
9 Article 2A.001, Code of Criminal Procedure, or other law; or

10 (B) employed as a peace officer by a private  
11 institution of higher education, including a private junior  
12 college, that is located in this state under Section 51.212,  
13 Education Code;

14 (2) a paid probation officer appointed by the director  
15 of a community supervision and corrections department who has the  
16 duties set out in Section 76.002 and the qualifications set out in  
17 Section 76.005, or who was appointed in accordance with prior law;

18 (3) a parole officer employed by the Texas Department  
19 of Criminal Justice who has the duties set out in Section 508.001  
20 and the qualifications set out in Section 508.113 or in prior law;

21 (4) a paid jailer;

22 (5) a member of an organized police reserve or  
23 auxiliary unit who regularly assists peace officers in enforcing  
24 criminal laws;

25 (6) a member of the class of employees of the  
26 correctional institutions division formally designated as  
27 custodial personnel under Section 615.006 by the Texas Board of

1 Criminal Justice or its predecessor in function;

2 (7) a jailer or guard of a county jail who is appointed  
3 by the sheriff and who:

4 (A) performs a security, custodial, or  
5 supervisory function over the admittance, confinement, or  
6 discharge of prisoners; and

7 (B) is certified by the Texas Commission on Law  
8 Enforcement;

9 (8) a juvenile correctional employee of the Texas  
10 Juvenile Justice Department;

11 (9) an employee of the Health and Human Services  
12 Commission [~~Department of Aging and Disability Services~~] or  
13 Department of State Health Services who:

14 (A) works at the department's maximum security  
15 unit; or

16 (B) performs on-site services for the Texas  
17 Department of Criminal Justice;

18 (10) an individual who is employed by the state or a  
19 political or legal subdivision and is subject to certification by  
20 the Texas Commission on Fire Protection;

21 (11) an individual employed by the state or a  
22 political or legal subdivision whose principal duties are aircraft  
23 crash and rescue fire fighting;

24 (12) a member of an organized volunteer fire-fighting  
25 unit that:

26 (A) renders fire-fighting services without  
27 remuneration; and

(B) conducts a minimum of two drills each month,  
each two hours long;

(13) an individual who:

(A) performs emergency medical services or  
operates an ambulance;

(B) is employed by a political subdivision of the  
state or is an emergency medical services volunteer as defined by  
Section 773.003, Health and Safety Code; and

(C) is qualified as an emergency care attendant  
or at a higher level of training under Section 773.046, 773.047,  
773.048, 773.049, or 773.0495, Health and Safety Code;

(14) an individual who is employed or formally  
designated as a chaplain for:

(A) an organized volunteer fire-fighting unit or  
other fire department of this state or of a political subdivision of  
this state;

(B) a law enforcement agency of this state or of a  
political subdivision of this state; or

(C) the Texas Department of Criminal Justice;

(15) an individual who is employed by the state or a  
political subdivision of the state and who is considered by the  
governmental employer to be a trainee for a position otherwise  
described by this section;

(16) an individual who is employed by the Department  
of Public Safety and, as certified by the director, is:

(A) deployed into the field in direct support of  
a law enforcement operation, including patrol, investigative,

search and rescue, crime scene, on-site communications, or special operations; and

(B) given a special assignment in direct support of operations relating to organized crime, criminal interdiction, border security, counterterrorism, intelligence, traffic enforcement, emergency management, regulatory services, or special investigations; ~~or~~

(17) an individual who is employed by the Parks and Wildlife Department and, as certified by the executive director of the Parks and Wildlife Department, is:

(A) deployed into the field in direct support of a law enforcement operation, including patrol, investigative, search and rescue, crime scene, on-site communications, or special operations; and

(B) given a special assignment in direct support of operations relating to organized crime, criminal interdiction, border security, counterterrorism, intelligence, traffic enforcement, emergency management, regulatory services, or special investigations;

(18) a justice of the peace;

(19) a death investigator employed under Article 49.23, Code of Criminal Procedure; or

(20) a medical examiner or an employee of the medical examiner's office employed under Section 3, Article 49.25, Code of Criminal Procedure.

SECTION 4. Section 504.055(a), Labor Code, is amended to read as follows:

(a) In this section, "first responder" means:

(1) an individual employed by a political subdivision of this state who is:

(A) a peace officer under Article 2A.001, Code of Criminal Procedure;

(B) a person licensed under Chapter 773, Health and Safety Code, as an emergency care attendant, emergency medical technician, emergency medical technician-intermediate, emergency medical technician-paramedic, or licensed paramedic; or

(C) a firefighter subject to certification by the Texas Commission on Fire Protection under Chapter 419, Government Code, whose principal duties are firefighting and aircraft crash and rescue; ~~[or]~~

(2) an individual covered under Section 504.012(a) who is providing volunteer services to a political subdivision of this state as:

(A) a volunteer firefighter, without regard to whether the volunteer firefighter is certified under Subchapter D, Chapter 419, Government Code; or

(B) an emergency medical services volunteer, as defined by Section 773.003, Health and Safety Code;

(3) a justice of the peace covered under Section 504.012;

(4) a death investigator employed under Article 49.23, Code of Criminal Procedure; or

(5) a medical examiner or an employee of the medical examiner's office employed under Section 3, Article 49.25, Code of

1 Criminal Procedure.

2           SECTION 5. The changes in law made by this Act apply to a  
3 claim for benefits or compensation pending on or filed on or after  
4 the effective date of this Act. A claim for benefits or  
5 compensation filed before that date, other than a claim pending on  
6 that date, is governed by the law in effect on the date the claim was  
7 made, and the former law is continued in effect for that purpose.

8           SECTION 6. This Act takes effect September 1, 2025.